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REMARKS

Claims 1, 2, 4, 6-23, 35, 36 and 39 are pending in this application, with claims 7-17, 20 and 21 being withdrawn from consideration. Claims 1, 2, 6, 18, 19, 22, 23, 35 and 39 stand rejected under 35 USC 102(b) as being anticipated by Plumb. Claims 2, 4, 6, 18, 19, 22, 36 and 39 stand rejected under 35 USC 102(b) as being anticipated by Campbell.

Independent claim 1 has been amended herein to include the limitations of "a handle moveably attached to a top of the body and fixable in any one of a plurality of positions vertically above and horizontally between the first and second legs on either side of or directly over the center leg to position the handle at a selected location for balancing forces exerted onto a work piece relative to a cut line as the apparatus is used to urge the work piece through a cutting device." Plumb fails to teach or suggest such limitations, thereby overcoming the rejection under 35 USC 102(b) and placing claim 1 and its dependent claim 35 into condition for allowance.

Several amendments have been made herein to independent claim 2. First, the amended claim includes the limitations of "a first leg attached to the body and forming a first side surface, the first side surface defining a flat side of the apparatus adapted for abutting and being slid along a flat guide surface of a fence of a saw table." The Examiner points to the flat surface 24 of Campbell, however, such a flat surface does not constitute a complete side of the Campbell apparatus and therefore it is not adapted for abutting and being slid along a fence of a saw table. Thus, the rejections under 35 USC 102(b) are overcome and claim 2 and its dependent claims 4 and 6-17 are in condition for allowance.

Claim 2 has been further amended in several locations to clarify the relationship among the structures that contact the work piece and the fence of a table saw and those that form the two different tunnels having selected widths. For example, these limitations include:

"the first leg extending below the underside of the body to a first leg work piece-contacting surface perpendicular to the first side surface and parallel to a

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top surface of a work piece for contacting and moving the work piece as the flat side of the apparatus is slid along the guide surface of the fence when the work piece is disposed on the saw table"

"a center leg ... for additionally contacting the work piece top surface as the flat side of the apparatus is slid along the guide surface of the fence, the center leg moveable to a plurality of positions relative to the first side surface to form a first tunnel having a selected width through which a cutting device of the saw table may pass when the work piece is moved through the cutting device by the apparatus"

"a second leg ... for additionally contacting the work piece top surface as the flat side of the apparatus is slid along the guide surface of the fence" and

wherein the center leg is moveable to a plurality of positions between the first leg and the second leg to form a second tunnel having a selected width through which the cutting device alternatively may pass as the work piece is moved through the cutting device."

The cited prior art patents do not teach or suggest such a combination of limitations. Furthermore, the prior art devices of Plumb and Campbell do not form tunnels through which a saw passes, but rather, define spaces into which a work piece is positioned and firmly held relative to a work surface. The prior art devices teach away from the rejected claims because they are firmly affixed to the table surface, and they do not contact a single surface of a single work piece with three legs to slide the work piece along a guide fence as a saw blade passed through one of two tunnels. Thus, there are numerous bases for overcoming the rejections of claim 2 under 35 USC 102(b) and supporting the allowance of claim 2 and its dependent claims 4 and 6-17.

Independent claim 18 has been amended herein to include the limitations of "a structure comprising a flat side adapted for planar contact with and smooth movement along a guide surface of a cutting machine parallel to a cut line defined by a cutting device of the cutting machine, the structure further comprising a first leg and a second leg defining a tunnel through which the cutting device may pass, the structure comprising at least two co-planar work piece-contacting surfaces for making non-slip

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contact with a top surface of a work piece on each of two opposed sides of the cutting device when the flat side surface is slid along the guide surface to move the work piece through the cutting device." Neither prior art device includes such a flat side. The flat surface 24 of Campbell is only part of a non-flat side of the Campbell apparatus, and it is not functional as the flat side of the invention of claim 18. Thus, the rejections of claim 18 under 35 USC 102(b) are overcome, and claim 18 and its dependent claims 19-21, 36 and 39 are in condition for allowance.

Claim 18 is further amended herein to include the limitations of "the work piece-contacting surfaces being co-planar relative to the top surface of the work piece, the structure being not attached to the cutting machine so that it is free to be moved into and out of contact with the work piece and to be slid along the guide surface when in contact with the work piece to move the work piece through the cutting device." Both of the prior art devices teach away from these limitations since they are designed to be firmly affixed to a work surface during use. These limitations provide additional bases for the allowance of claims 18-21.

Claim 22 has been amended herein to include the limitations of "a structure defining a tunnel through which a cutting device may pass, the structure comprising at least two work piece-contacting surfaces that are co-planar relative to a top surface of a work piece for applying a downward and forward directed force to the top surface of the work piece on each of two opposed sides of a cut line defined by movement of the cutting device as the work piece is urged through the cutting device by the force." The prior art devices teach away from these limitations because they contact their respective work pieces on opposed sides in a clamping fashion, rather than pushing downward against a single surface of the work piece. This further exemplifies the differences between the prior art devices that are fixed clamping devices and the present invention that is a moveable pusher device. The prior art devices would actually create a dangerous condition if used to urge a work piece through a cutting device, since the clamping force would urge the cut surfaces of the work piece into the rotating cutting device, thereby creating a potentially deadly "kick-back" condition where the work piece is thrown upward and rearward by the movement of the cutting device.

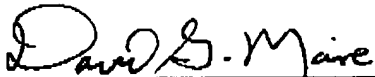
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Thus, the rejection of claim 22 under 35 USC 102(b) is overcome, and claim 22 and its dependent claim 23 are in condition for allowance.

Claim 22 is further amended herein to include the limitations of "a handle attached to the structure and moveably fixable at any one of a plurality of positions along a width of the structure vertically above and horizontally between the two work piece-contacting surfaces to accommodate a plurality of cut geometries by positioning the handle directly above the cut line as the structure and work piece move past the cutting device." The handles of the cited prior art devices lack such structure and function, thereby providing additional bases for the allowance of claims 22 and 23.

Reconsideration of the amended application in view of the above Remarks and allowance of claims 1, 2, 4, 6-23, 35, 36 and 39 are respectfully requested.

Respectfully submitted,



David G. Maire, Reg. No. 34,865

Beusse Brownlee Wolter Mora & Maire, P.A.
390 North Orange Avenue, Suite 2500
Orlando, FL 32801
Telephone: (407) 926-7704